

2006-16

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Regarding the proposed amendment to MCR 6.302 (Guilty Pleas) - I believe these changes are long overdue. Too often, judges involvement in plea bargaining undercuts the Prosecutors offer, with the main consideration being docket management, and not the interests of justice. How can a judge, unfamiliar with all the facts, not having a presentence report, accurately fashion a appropriate sentence agreement? Yet, that is done routinely in our county. This rule would effectively overrule the Cobbs case, which I strongly support. (443 Mich 276 1993).

Additionally, the propsed rule change effectively solves another problem as well - why should a Defendant be allowed to withdraw from a plea when the prosecutor merely makes a "recommendation" as part of the bargain, as opposed to an actual "agreement"? A defendant has no reasonable expectation of actually recieveing a mere recommended sentence from the prosecutor, when it is only a recommendation and not an actual plea or sentence agreement. So long is this is clearly explained on the record, as the rule would require, there can be no confusion or misunderstanding about this.

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